



## UNITED STATES PATENT AND TRADEMARK OFFICE

Office of the Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, DC 20590  
www.uspto.gov

U.S. APPLICATION

09/857652

CLASSIFICATION

MONAKA

T

U.S. PUBLICATION

514453-3879

INTERNATIONAL APPLICATION

PCT/EP99/09863

WILLIAM F. LAWRENCE  
FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE  
NEW YORK, NY 10151

U.S. FILING DATE  
13 DEC 99

U.S. PUBLICATION DATE  
11 DEC 98

24 JUL 2001

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the filer to the United States Patent and Trademark Office as:

- ☐ a Designated Office (37 C.F.R. 1.494) ☒ an Elected Office (37 C.F.R. 1.495)
- ☒ U.S. Basic National Fee Indication of Small Entity Status
- ☒ Copy of the international application ☒ Translation of the international application into English
- ☐ Oath or Declaration of Inventor(s) ☐ Translation of Article 19 amendments into English
- ☐ Copy of Article 19 amendments ☐ Other
- ☒ Priority Document
- ☒ The International Preliminary Examination Report ~~or English and its Annexes~~ ☐ Translation of Annexes to the International Preliminary Examination Report into English

2. Applicant has requested early processing under 35 U.S.C. 371(d) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee Copy of the international application

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 C.F.R. 1.492(f)).
- ☒ c. Oath or declaration of the inventor(s) in compliance with 37 C.F.R. 1.497(a) and (b), properly identifying the application (preferably, by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. The current oath or declaration does not comply with 37 C.F.R. 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/US.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 C.F.R. 1.492(c)).

4. Additional claim fees of \$  (a) large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 C.F.R. 1.492(g)). See attached PTO 875.

5. Applicant has not submitted the required sequence listing pursuant to 37 C.F.R. 1.821-1.825. See attached PCT/DO/EO/US.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 C.F.R. 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 C.F.R. 1.36(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 C.F.R. 1.494(d)) or 30 (37 C.F.R. 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be marked to the address given in the opening and include the U.S. application no. shown above (37 C.F.R. 1.5).

**A copy of this notice MUST be returned with this response.**

Enclosed PCT/DO/EO/US  
PTO 875

Notice of Defective Translation  
PCT/DO/EO/US

India Evans

FORM PCT/DO/EO/US (March 2001)

Telephone 703 305 2965